

1 LAW OFFICE OF WILLIAM E. KENNEDY
 2 WILLIAM E. KENNEDY (CSB #158214)
 3 2797 Park Avenue, Suite 201
 4 Santa Clara, California 95050
 5 (408) 241-1000 phone
 6 (408) 241-1500 fax
 7 wkennedy@kennedyconsumerlaw.com

8 Robert David Humphreys (OBA 12346 *pro hac vice*)
 9 Humphreys Wallace Humphreys, P.C.
 10 9202 S. Toledo Avenue
 11 Tulsa, OK 74137
 12 (918) 747-5300 Telephone
 13 (918) 747-5311 Facsimile
 14 david@hwh-law.com

15 Lucius James Wallace (OBA 16070 *pro hac vice*)
 16 Humphreys Wallace Humphreys, P.C.
 17 9202 S. Toledo Avenue
 18 Tulsa, OK 74137
 19 (918) 747-5300 Telephone
 20 (918) 747-5311 Facsimile
 21 luke@hwh-law.com

22 Attorney for Plaintiffs WILLIAM G. STEWART AND NANCY STEWART

23
 24 **UNITED STATES DISTRICT COURT**
 25 **NORTHERN DISTRICT OF CALIFORNIA**

26 WILLIAM G. STEWART AND NANCY)	Case No.: 10-01225SI
27 STEWART,)	
28 Plaintiffs)	STIPULATION AND [PROPOSED]
)	ORDER MODIFYING SECOND
29 vs.)	PRETRIAL PREPARATION ORDER
)	
30 BAC HOME LOANS SERVICING, LP)	
)	
31 Defendant.)	
)	

32 WHEREAS, on June 29, 2011, the Court issued the Second Pretrial Preparation Order
 33 which set forth certain dates and deadlines, as indicated below;

34 WHEREAS, the parties, by mutual agreement, wish to extend certain of those dates and
 35 deadlines. For ease of comparison, the dates/deadlines which the parties request be adopted are
 36 indicated in parentheses following the dates/deadlines currently in effect;

37
 38 STIPULATION AND [PROPOSED] ORDER
 MODIFYING SECOND PRETRIAL PREPARATION ORDER

1 **ORDER**

2 Pursuant to stipulation, the Second Pretrial Order is amended as follows:

3
4 DISCOVERY PLAN: Per F.R.Civ.P and Local Rules, subject to any provisions below.

5 NON-EXPERT DISCOVERY CUTOFF is March 16, 2012

6 DESIGNATION OF EXPERTS: 1/11/12 REBUTTAL; 1/25/12
7 Parties SHALL conform to Rule 26(a)(2)

8 EXPERT DISCOVERY CUTOFF IS March 16, 2012

9 DISPOSITIVE MOTIONS **SHALL** be filed by April ~~15~~⁶, 2012 and be set for hearing no later

10 than May ~~18~~¹¹, 2012 at 9:00 a.m. The schedule for the briefing and hearing the Motion shall be per

11 the Local Rules. For example, if the Motion is filed on the last possible day, the Opposition will

12 be due April ~~27~~²⁰, 2012, the Reply will be due ~~May 4~~^{April 27}, 2012; and the Motion shall be set for

13 hearing on May 18, 2012 at 9:00 a.m.

14 PRETRIAL CONFERENCE DATE: June 5, 2012 at 8:30 a.m.

15 JURY TRIAL DATE: June 18, 2012 at 8:30 a.m.
16 Courtroom 10, 19th floor

17 **SPECIAL DISCOVERY AND PRETRIAL PROVISIONS:**

18 The deadline to amend the pleadings is July 29, 2011.

19 The Court adjusted the trial schedule as indicated above.

20 This case shall be referred to a magistrate-judge for settlement purposes. The settlement
21 conference shall occur in February 2012.

22 The pretrial conference **SHALL** be attended by trial counsel prepared to discuss all aspects of the
23 case, including settlement. Parties **SHALL** conform to the attached instructions. Plaintiff is
24 **ORDERED** to serve a copy of this order on any party subsequently joined in this action.

25 **SO ORDERED** As
26 Amended

27 Date: 11/2/11

28 _____
Hon. Susan Illston
United States District Court